

Remarks

Claims 22-23 and 25-28 were previously pending. Claims 22, 25, and 27 have been amended. Claim 24 has been cancelled. New claims 29-38 have been added. Claims 22, 23, and 25-38 are now pending in the application. Favorable reconsideration of the application is respectfully requested in light of the above amendments and the remarks which follow.

1. Telephone Interview with Examiner

Applicant appreciates the Examiner's time and courtesy in conducting a telephone interview with Applicant. Various distinctions were discussed between the claims of the '361 application in light of the cited prior art. The distinctions identified in the interview are the subject of the claim amendments in the present application.

2. Claim Rejections under 35 USC 102

Claims 22, 23, and 25-28 are rejected under 35 USC 102(b) as being anticipated by Van Mill. Independent claims 22 and 27 and their related dependent claims will now be discussed in view of Van Mill.

A. Claims 22, 23, and 25-26

Claim 22 has been amended to recite that the adjusting step comprises actuating an actuator extending wholly between said main beam and said mainframe. Van Mill teaches that the gang angle is adjusted with an actuator that resides within the rear frame assembly. The Office Action maintains that the claims recite insufficient mainframe structure to support the argument that the actuator extends between the main beam and the mainframe. Applicant respectfully disagrees and, to this end, notes that claim 22 (step B) recites a plurality of plow shanks mounted on the mainframe (thus structurally defining the mainframe over other components on the tilling apparatus). Likewise, Van Mill discloses shanks 61 mounted to mainframe 11 (see Fig. 1). However, in Van Mill, actuator 126 is not located wholly between the mainframe 11 and the main beam of gang assembly 108 or 109. Rather, a significant portion of Van Mill's actuator extends beyond the tillage tool 10. As a result, Van Mill's actuator does not reside wholly within any structure on the tillage tool 10 (let alone the mainframe). Accordingly, Van Mill fails to teach or suggest that the step of adjusting the gang angle includes adjusting an actuator that extends between the mainframe and the main beam of the gang assembly.

Applicant therefore asserts that independent claim 22 recites limitations not taught or suggested by Van Mill. Withdrawal of the rejection of claims 22, 23, 25, and 26 is therefore respectfully requested.

B. Claims 27-28

Independent claim 27 recites a method of tilling soil in which, *inter alia*, recites that discs of a disc gang are directly connected to said disc support beam and only connected to said main beam via at least one support arm extending between said disc support beam and said main beam, said discs being supported so as to permit said discs to rotate about a common axis that extends at a gang angle relative to a perpendicular to said draft direction. As discussed in the telephone interview, Applicant has reviewed the cited prior art, and has not identified any teaching or suggestion to connect discs of a disc gang directly to a disc support beam and only to a main beam via a support arm extending between the disc support beam and the main beam.

Accordingly, independent claim 27 and corresponding dependent claim 28 are allowable over the cited prior art, and withdrawal of the rejection of these claims is therefore respectfully requested.

3. New Claims

A. Claims 29-33

Applicant has added new claims 29-31 that ultimately depend from independent claim 22. Applicant cites the allowability of claim 22 as providing sufficient bases for the allowance of claims 29-32. Furthermore, Applicant notes that claims 29 and 30 further structurally define the mainframe. Claim 31 recites that the disc gang is disposed forward of said mainframe with respect to said draft direction. Claims 32 and 33 further limit claim 25. Applicant asserts that the limitations of new claims 29-33 are fully supported by the specification, and formal allowance of these claims is respectfully requested.

B. Claims 34-36

New claims 34-36 have been added that depend from independent claim 27. Applicant cites the allowability of claim 22 as providing sufficient bases for the allowance of claims 34-36. Furthermore, Applicant notes that claims 34-36 further structurally define the mainframe. Applicant asserts that the limitations of new claims 34-36 are fully supported by the specification, and formal allowance of these claims is respectfully requested.

C. Claims 37-38

Applicant has added new independent claim 37, which recites a method of tilling soil. The method recites, *inter alia*, the step of cutting and turning the soil using a plurality of rotating discs of a pair of adjacent disc gangs, each disc gang including a support

structure pivotably connected to the mainframe so as to permit each disc gang to rotate its discs about a common axis that extends at a gang angle relative to a perpendicular to the draft direction. Claim 37 further recites the step of adjusting the gang angle of the adjacent disc gangs so as to pivot the support structure about a vertical axis to thereby bring said adjacent disc gangs into alignment. Claim 38 depends from claim 37 and structurally defines the claim 37 support structure. Applicant has not found a teaching or suggestion of the claim 37-38 limitations in the cited prior art, but understands from the telephone interview that claims 37-38 may likely be the subject of a forthcoming restriction requirement.

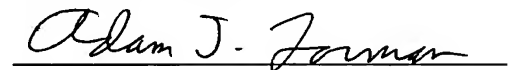
4. Conclusion

Applicant therefore respectfully asserts that all rejections and objections cited by the Examiner have been overcome. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

Applicant hereby authorizes the Commissioner to deduct the \$120 fee for a one-month extension of time, along with any fees resulting from this Amendment or any other communication, from Deposit Account No. 17-0055.

Respectfully submitted,

JEFFREY POWELL



By: Adam J. Forman
Reg. No. 46,707
Attorney for Applicant
QUARLES & BRADY, LLP
411 East Wisconsin Avenue
Milwaukee, WI. 53202-4497
(414) 277-5405